

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	Art Unit:
UBER, III et al.	)	
	)	Conf. No.: 7429
Serial No.: 10/599,366	)	
	)	
Filed: March 11, 2005	)	
	)	Examiner:
Title: ENERGY ASSISTED MEDICAL DEVICES,	)	
SYSTEMS AND METHODS	)	

RECONSIDERATION OF DECISION ON PETITION

Assistant Commissioner for Patents  
P.O. Box 1450  
Mail Stop PCT  
Alexandria, VA 22313-1450

ATTN: PCT Legal Office

Dear Sir:

In response to the Decision On Petition mailed on 11 June 2007, Applicants submit herewith a properly executed Petition For Revival that is needed to fulfill Requirement (3). Applicants hereby request Reconsideration of the Decision On Petition based on the accompanying executed Petition for Revival.

As set forth in the Decision on Petition, Applicants submitted a Petition For Revival on 26 September 2006, that satisfied Requirements (1), (2) and (4) of the Petition for Revival.

However, the Decision on Petition stated that Requirement (3) was not satisfied because the Petition For Revival did not identify the application (i.e., by the U.S. Serial Number) and it had not been signed by a licensed practitioner (i.e., the signature line was left blank). To remedy these deficiencies, Applicants submit a new Petition For Revival (Form PTO/SB/64/PCT) that includes the U.S. Serial Number for

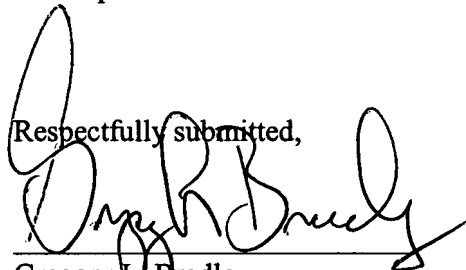
this U.S. national stage application and is executed by the below-named licensed practitioner.

Based on the accompanying properly executed Petition For Revival form, Applicants submit that all of the Requirements for the Petition For Revival have now been satisfied, and respectfully request that the Petition For Revival now be granted.

If additional fees are due for this reconsideration request, Applicants hereby authorize the Assistant Commissioner to charge them to Deposit Account # 13-2530.

Date: July 26, 2007

Respectfully submitted,



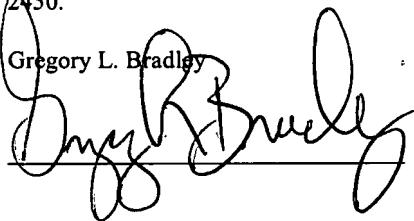
Gregory L. Bradley  
Reg. No. 34,299

Medrad, Inc.  
One Medrad Drive  
Indianola, PA 15051  
(412) 767-2400 x3021

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on July 26, 2007, with the United States Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-2450.

Gregory L. Bradley



**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number  
(Optional)

IN/04-002.PCT.US

First Named Inventor: ARTHUR E. UBER, III

International (PCT) Application No.: PCT/US05/007829

U.S. Application No.:  
(if known)

Filed: March 11, 2005

10/599,366

Title: ENERGY ASSISTED MEDICAL DEVICES, SYSTEMS AND METHODS

Attention: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500. (37 CFR 1.17(m))

**2. Proper reply**

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of  
Transmittal Letter to the United (identify type of reply):

States DO/EO

☒ has been filed previously on September 26, 2006.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

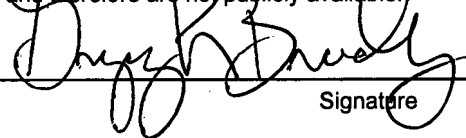
☐ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

 _____ Signature	7/26/2007 _____ Date
Gregory L. Bradley _____ Typed or Printed Name	34,299 _____ Registration Number, if applicable
Medrad, Inc. _____ Address	(412) 767-2400 _____ Telephone Number
One Medrad Drive, Indianola, PA 15051 _____ Address	

Enclosures: ☒ Response  
☒ Fee Payment  
☐ Terminal Disclaimer  
☐ Other (please identify):